UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/071,664	05/01/1998	SHMUEL SHAFFER	98P7512US	5737

7590 06/17/2005

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
ISELIN, NJ 08830

EXAMINER	
BUI, BING Q	
ART UNIT	**PAPER NUMBER**
2642	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/071,664	SHAFFER ET AL.	
	Examiner	Art Unit	
	Bing Q. Bui	2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 February 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *22* is/are allowed.

6)☒ Claim(s) *1-16 and 18-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 May 1998* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's Amendment filed on 02/04/05 has been entered. Claims 1, 11, 20, 21 and 22 have been amended. Claim 17 has been cancelled. No claims have been added. Claims 1-16 and 18-22 are still pending in this application, wherein claims 1, 11, 20, 21 and 22 being independent.

Claim Rejections - 35 USC § 103

2. Claims 1, 4, 7-9, 11, 14-15 and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al (US Pat No. 4,939,771) in view of Hanson et al (US Pat No. 5,740,229), herein after referred as Brown and Hanson.

Regarding claim 1, Brown teaches a method for providing an automated call connection system comprising the steps of:

a caller 101 (first user) contacting a call message delivery system 120 (call server) to contact an intended recipient 163 (second user) (see Figs 1-2 and col. 8, lns 44-57);

the caller 101 (first user) requesting the call message delivery system 120 (call server) to deliver a message to the intended recipient 163 (second user) (see Figs 1-2 and col. 8, lns 44-57);

the call message delivery system 120 (server) immediately attempting to contact the recipient 163 (second user) based on the first user requesting without requiring the

first user to have already attempted to directly contact by telephony the recipient 163 (second user) (see Figs 1-2 and col. 10, lns 57-58);

Brown differs from claimed invention in which:

the message of caller 101 does not explicitly contain a request for a callback from the recipient 163.

the server prompting the second user whether to call the caller;

the second user optionally signaling acceptance of the call back request to the server; and

if the second user signals to accept the call back request, the server automatically attempting to connect the first user and the second user.

However, Hanson discloses:

the message of caller 20 contains a request for a callback from the recipient 22 (second user) (see col. 3, lns 20-50).

the server 18 prompting the intended recipient 22 (second user) whether to call the caller 20 (first user) back (see col. 4, lns 8-15);

the intended recipient 22 (second user) optionally signaling acceptance of the call back request to the server 18 (see col. 4, lns 8-33); and

if the intended recipient 22 (second user) signals to accept the call back request, the server 18 automatically attempting to connect the caller 20 (first user) and the intended recipient 22 (second user) (see col. 4, lns 8-33).

Therefore, integrating Hanson's teachings into communication system of Brown would have been obvious for enabling the intended recipient to make a free of charge return call to the caller.

Regarding claim 4, Hanson further teaches the server 18 initiates a call from a device of the second user to a device of the first user (see col. 4, lns 8-33).

Regarding claim 7, Hanson further teaches the first user uses a voice mail system to request the call back (see Figs 2A-2B and col. 2, ln 61-col. 3, ln 50).

Regarding claim 8, Hanson further teaches the step of:

maintaining a connection between the first user and the second user for a predetermined period of time (see col. 3, ln 20-col. 4, ln 8);

wherein the predetermined period of time is specified by the first user (see col. 3, ln 20-col. 4, ln 8).

Regarding claim 9, Hanson further teaches the first user is provided with the option of placing a message in a voice mail system (see col. 3, ln 20-col. 4, ln 8).

As to claims 11 and 21, they are rejected for the same reasons set forth to rejecting claim 1 above, since claims 11 and 21 are merely a system for implementing the method defined in the method claim 1.

Regarding claim 14, Hanson further teaches the first user input is at least one of a personal data assistant, a computer, a telephone and a facsimile machine (see Fig 1 and col. 2, lns 37-47).

Regarding claim 15, Hanson further teaches the second user output is at least one of a personal data assistant, a computer, a telephone and a facsimile machine (see Fig 1 and col. 2, lns 37-47).

As to claim 18, it is rejected for the same reasons set forth to rejecting claim 7 above, since claim 18 is merely a system for implementing the method defined in the method claim 7.

As to claim 19, it is rejected for the same reasons set forth to rejecting claim 8 above, since claim 19 is merely a system for implementing the method defined in the method claim 8.

As to claim 20, it is rejected for the same reasons set forth to rejecting claim 1.

3. Claims 2-3, 5-6, 10, 12-13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown (US Pat No. 4,939,771) in view of Hanson (US Pat No. 5,740,229), and further in view of Dunn et al (US Pat No. 6,169,795), herein after referred as Dunn.

Regarding claim 2, the combined system of Brown and Hanson fails to teach the method in which the server using a separate packet based network to determine if the second user is ready to accept the call back request. However, Dunn teaches the packet based network such as "INTERNET 24" to determine if the second user is ready to accept the call back request (see col. 8, lns 12-45). Therefore, integrating Dunn's teachings into the combined system of Brown and Hanson would have been obvious for saving transmission cost.

Regarding claim 3, the combined system of Brown and Hanson fails to teach the method in which the server bypassing call toll charges by using a packet based network such as "INTERNET 24" for sending of call back requests. However, Dunn teaches the server bypassing call toll charges by using a packet based network for sending of call back requests (see col. 8, lns 12-45). Therefore, integrating Dunn's teachings into the combined system of Brown and Hanson would have been obvious for saving transmission cost.

Regarding claim 5, the combined system of Brown and Hanson fails to teach the method in which the first user may request for call back via at least one of an E-mail message, a pager and a facsimile. However, shown in Fig 1 of Dunn, both the caller and called party can communicate to each other via "INTERNET 24" using data terminals "12" and "12'". Therefore, integrating Dunn's teachings into the combined

system of Brown and Hanson for sending an e-mail to request for callback would have been obvious for saving voice transmission cost.

Regarding claim 6, the combined system of Brown and Hanson fails to teach the method in which the prompt is provided to the second user on a telephone display. However, shown in Fig 1 of Dunn, the called party is associated with data terminal "12'" that used for communicating with other network elements of the internet service provider. Therefore, integrating Dunn's teachings into the combined system of Brown and Hanson for displaying information data would have been obvious for providing more flexibility in communication.

Regarding claim 10, the combined system of Brown and Hanson fails to teach the method in which a personal digital assistant is used by the first user to request the call back. However, shown in Fig 1 of Dunn, the caller is associated with data terminal "12" that used for communicating with the called party associated with data terminal "12'" via the "INTERNET 24" Therefore, integrating Dunn's teachings into the combined system of Brown and Hanson for requesting a callback would have been obvious for saving voice transmission cost.

As to claims 12-13 and 16, they are rejected for the same reasons set forth to rejecting claims 2-3 and 5 above, since claims 12-13 and 16 are merely a system for implementing the method defined in the method claims 2-3 and 5.

Allowable Subject Matter

4. Claim 22 is allowed.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 11 and 20-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

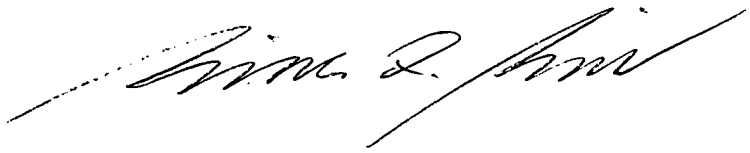
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (571) 272-7482. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 and for formal communications intended for entry (please label the response □EXPEDITED PROCEDURE□) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

02 June 2005



BING Q. BUI
PRIMARY EXAMINER